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March 20, 2020

**VIA ECF**

The Honorable Mary Kay Vyskocil  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED:3/20/2020

Re: United States of America v. Rick Dane, Jr.  
20 Cr. 160-10 (MKV)  
Request to Waive Defendant Rick Dane, Jr.'s Appearance at Status Conference and  
Permission for Counsel to Appear by Telephone

Dear Judge Vyskocil:

I was appointed counsel for Rick Dane, Jr. pursuant to the Criminal Justice Act (CJA). The instant case was scheduled for arraignment and initial conference on Monday, March 23, 2020. Due to the current health crisis, the defense respectfully requests a waiver of Mr. Dane's appearance in Court on Monday, March 23, 2020. The defense also respectfully requests that counsel be allowed to appear by telephone. I have spoken to Mr. Dane and reviewed the indictment with him as well as his right to be present and he has knowingly and intelligently agreed to waive that right. I have attached a fully executed waiver of appearance form wherein Mr. Dane confirms receipt of the indictment; that I have reviewed it with him; and that he pleads "not guilty" to Count Two of the indictment.

Respectfully submitted,

/s/

Calvin H. Scholar

GRANTED. The Court accepts Defendant Dane's waiver of appearance and grants counsel's request to appear telephonically. Counsel is directed to call 888-278-0296 and enter access code 5195844 to join the conference. Counsel for Mr. Dane should be prepared to agree to a schedule for the remainder of the case and to address any issues or questions that arise.

Date: 3/20/20  
New York, New York

  
Mary Kay Vyskocil  
United States District Judge